

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS PROPOSED CERTIFICATE ISSUED TO

POWAY CITRUS COMPANY
% DUSTIN B. ROSE
P.O. BOX 960
CORONADO, CALIFORNIA 92118

confirms the right to use the waters the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATING 72.1 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for GRANT County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at page 461. The date of priority is 1891.

The right is limited to not more than 1.80 CUBIC FEET PER SECOND IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION.

The points of diversion are located as follows:

NE 1/4 NW 1/4, SE 1/4 SW 1/4, SECTION 7, T 10 S, R 26 E, W.M.; DIV PT 5 - 150 FEET SOUTH AND 1600 FEET EAST FROM THE NW CORNER OF SECTION 7; DIV PT 4A - 580 FEET NORTH AND 1690 FEET EAST FROM THE SW CORNER OF SECTION 7.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from April 1 to September 30; further limited to one acre-foot per acre per calendar month not to exceed 5.0 acre-feet per acre during the irrigation season.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE 1/4 SW 1/4 1.0 ACRE
SE 1/4 SW 1/4 29.5 ACRES
SECTION 6
TOWNSHIP 10 SOUTH, RANGE 26 EAST, W.M.

NEXT PAGE

NE 1/4 NW 1/4 32.5 ACRES
SE 1/4 NW 1/4 1.8 ACRES
NE 1/4 SW 1/4 3.8 ACRES
SE 1/4 SW 1/4 3.5 ACRES
SECTION 7
TOWNSHIP 10 SOUTH, RANGE 26 EAST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 30, 1978, and together with certificate 46043, supersedes certificate 25244, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date AUGUST 14, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 64725.

T-3906.JW